

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DONALD EDWARD BENTON,)

Plaintiff(s),)

vs.)

TIMOTHY S. CORY, *et al.*,)

Defendant(s).)

Case No. 2:10-cv-0907-RLH-PAL

ORDER

(Motion to Exceed Page Limit—#62)

(Motion to Strike ##61 & 65—#74)

Before the Court is Plaintiff's **Motion for Leave to Exceed Page Limit** (#62, filed August 11, 2010), which also contains what appears to be attempts to file oppositions in response to Motions to Dismiss Dkt #26 and #27. Defendant Philip S. Gerson filed an Opposition to Plaintiff's Motion for Leave to Exceed page Limit (#73, filed August 24, 2010), and a **Counter Motion to Strike Plaintiff's Responses Filed as Documents #61 & #65** (#74, filed August 24, 2010 as part of Dkt #73). Plaintiff filed his Reply to Opposition and Opposition to Counter Motion and Request for Orders (#80) on September 3, 2010.

Plaintiff filed a previous motion to exceed the page limits (#60), which the Court denied in a Text Order (#79) on September 3, 2010. However, before the Court could decide the first motion, Plaintiff proceeded to file his unauthorized responses by filing a Partial Opposition to Motion to Dismiss—re: #25 (#61, filed August 11, 2010), and Partial Opposition to Motions to Dismiss Amended Complaint—re: #26 and #27 (#65), also filed August 11, 2010.

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1 Plaintiff's Motion for Leave to Exceed Page Limit (#62) has no more merit than does
2 his previous motion already denied. His motion reverts to casting aspersions on the Defendants
3 rather than addressing the need to exceed the page limits. The responses to the motions filed as an
4 attachment to this motion (called for some reason "partial" oppositions) also resort to name calling
5 and arguments over the actions of the Defendants, rather than addressing the issues presented in the
6 motions.

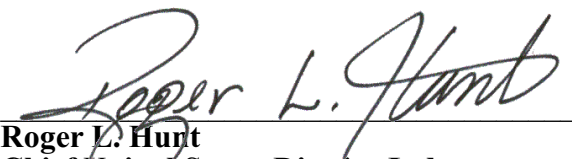
7 Moreover, Plaintiff makes the mistake of attempting to file opposition to several
8 motions in the same opposition. This is both in violation of the Local Rules, and is also detrimental
9 to his effort to file a meaningful response to the motions, addressing the issues raised by the
10 motions, rather than attempting to revisit his litigation complaints over the last half decade. It is the
11 Court's opinion that a meaningful opposition to each of the motions in question can be adequately
12 responded to within the page limits permitted by the Local Rules.

13 The responses or oppositions which Plaintiff has filed (without authorization) violate
14 the page limits of the Local Rules.

15 IT IS THEREFORE ORDERED that Plaintiff's **Motion for Leave to Exceed Page**
16 **Limit (#62)** is DENIED.

17 IT IS FURTHER ORDERED that **Counter Motion to Strike Plaintiff's Responses**
18 **Filed as Documents #61 & #65 (#74)** is GRANTED, and Documents #61 and #65 are hereby
19 STRICKEN.

20 Dated: September 7, 2010.

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23 **Roger L. Hunt**
24 **Chief United States District Judge**
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